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"What kind of a girl is she?" "Well, she's the kind of a girl who will flirt desperately for six months and then want to be a sister to you."—Chicago Post.

LILIOUKALANI'S CLAIM  
IS SHARPLY DISCUSSED

## Not Likely That It Will Reappear in This Congress Since the Motion to Recommit Was Lost—The Senate Debate.

(Mail Special to the Advertiser.)

WASHINGTON, D. C., Feb. 15.—Probably the claim of ex-Queen Lilioukalanani for compensation on account of loss of crown lands was effectually killed for this congress when the Senate today, by a tie vote, refused to pass it. The bill came up Friday last and provoked long debate. Much opposition developed and Senator Spooner made a motion to recommit. That developed the absence of a quorum and the matter went over till today's session. When it was brought to a vote again today the motion to recommit was lost 27 to 24. The bill was then amended so as to make the amount of the payment \$150,000. Then the amended bill was lost by a tie vote.

Senator Mitchell, of Oregon, who advocated the payment said today there might be a chance to get the bill through although it was somewhat doubtful. The lobbyists, who have been working for the claim, haunted the corridor as the Senate was considering it.

As soon as the bill was reached Friday on the calendar of the Senate it was read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and is hereby, authorized to pay to Lilioukalanani, formerly Queen of the Kingdom of Hawaii, in full satisfaction and discharge of all claim, legal and equitable, \$200,000.

Senator Platt, of Conn., immediately proposed an amendment to strike out the words "in full satisfaction and discharge of all claim, legal and equitable," and then the debate started. Senator Kean, of New Jersey, inquired if there were any report on the bill. There had been none drawn, as a matter of fact, but subsequently the Senate spent considerable time in finding that out. Senator Platt declared that under the circumstances "we may just as well strike out those words and pay her the \$200,000 without stating what we pay it for." He disclosed a little later in the debate that it was not his intention to vote for the bill in any form.

Mr. Blackburn said he hoped the amendment of Mr. Platt would not be adopted and Mr. Hoar, who was one of the pioneers in the Senate in championing the payment of a sum to the ex-Queen said he thought she had equitable rights. Mr. Blackburn added that the report in favor of the bill was unanimous from the Senate Committee on the Pacific Islands and Porto Rico. "Since the dethronement of the Queen and the taking possession of the crown lands, which were hers as long as she retained the sovereignty of those islands," continued Senator Blackburn, "the government has received in round numbers an average yearly rental of \$45,000 from those lands. So about a half million of money has been collected since her dethronement as the rents of the crown lands alone."

In the course of the debate the amount of these rentals and the beneficiary of them was inquired into extensively by Senators. The replies developed the information from Senator Mitchell, of Oregon, and others that the exact amount of the rentals in ten years has been \$432,378.06 and that that amount has gone into the federal Treasury here in Washington, not into the Territorial treasury.

## NOT AN EQUITABLE CLAIM.

Senator Spooner, the most aggressive opponent of the bill, immediately engaged in argument with Mr. Blackburn as to there being an equitable claim that the government ought to recognize. Mr. Spooner declared that for the life of him he could not understand how there was any such equitable claim. The following colloquy, mainly between those two Senators, was devoted to that phase of the claim:

Mr. Spooner. Does the Committee predicate anything upon the theory that she was dethroned by the United States? Mr. Blackburn. No. That, of course, was her contention and that of her adherents; but the committee in its report expressly disclaims any such purpose as that. In express language the committee holds that she has no legal claim against this Government for anything; but the committee recommends the payment of the \$200,000, based upon the one item of consideration which I have stated in answer to the Senator from Wisconsin, and other considerations. These crown lands were hers during her sovereignty. Whenever she ceased to be the sovereign, the Queen, of those islands, the Crown lands ceased to belong to her. In other words, they belonged to the Crown.

Now, Mr. President, admitting, as the committee freely does, that this claimant has no status in court, that she has no legal ground upon which she can make any demand upon this Government, the committee by its unanimous action, in consideration of the facts that I have stated here, recommends that the sum of \$200,000 be paid to her.

It must be understood and admitted—no one will deny it—that the conditions attaching were peculiarly hard upon this dethroned sovereign. There she was in more than comfortable circumstances. She had an annual rental of about \$50,000 from lands that belonged to her so long as sovereignty was vested in her. She had a comfortable estate in her own right, all of which was lost. She

was left with those retainers and dependents that you might naturally expect a sovereign to have depending upon her.

The legislature of Hawaii undertook to make provision, so far as it felt that it was able to do it, by voting her a stipend of \$15,000 a year; and that it did. Taking the condition of the resources of the islands—

Mr. Mitchell. Will the Senator allow me? It was \$15,000 for two years. Mr. Blackburn. Two years. There was a limit, and that was the limit. The two years' limit applied to that grant made by the legislature of the islands of Hawaii.

The whole case is stated. This dethroned Queen has no rights in law. She can not prosecute any demand against the Government. It is conceded in advance. It is simply a question of grace that commends itself to the conscience and the sense of fair dealing of every man here.

Mr. Spooner. I should like the Senator to be, if he can, a little more explicit as to her equity from the standpoint of the United States. I understand that it is conceded that the Crown lands belonged to the Crown, to the Government.

Mr. Blackburn. There is no controversy about that.

Mr. Spooner. And that when by revolution she was dethroned and the government was changed, the title passed to the new sovereign—

Mr. Blackburn. Yes.

Mr. Spooner. Being a republic.

Mr. Blackburn. Yes.

Mr. Hoar. As her successor.

Mr. Spooner. That would not establish an equity.

Mr. Hoar. It is a part of the story.

Mr. Spooner. Queens, like individuals, take their chances in life. People have fortunes and lose them. Many a woman who has lived in luxury finds when her protector is removed by the hand of death that her method of living must change, and all that. It is all very sad, but of course it is perfectly clear from the Senator's statement that no claim could possibly have arisen in equity by this change in government, so far as the Crown lands go, even against the Republic of Hawaii. I should think.

Mr. Blackburn. The United States has seen fit to apply to the uses of the Hawaiian Islands the money here described, but it was the United States that made the application of the money and not—

Mr. Spooner. What I should like to have the Senator point me to—he may have done so when the matter was before the Senate at the last session—is what equity is based upon the loss of the lands to which she had the fee. I do not see how, if she had the fee, it could be lost without some judicial proceeding. I would not suppose annexation could do it, but there may be something in that phase of the case which would afford an equitable basis for an appropriation.

Just at that point and before Mr. Blackburn had opportunity to proceed in answer to Mr. Spooner's question, there was a digression about the committee report. After a prolonged dialogue it was stated that the report on the bill was the report which the special committee made, after visiting the islands last summer. Finally Senator Mitchell read the five paragraphs, stating the conclusion of the special committee, as was published in the Advertiser more than a year ago when the report of the special committee was made public. The debate then continued as follows:

Mr. Spooner. If the ex-Queen is entitled to a moiety, why give her a lump sum?

Mr. Mitchell. There is no suggestion in the report, from beginning to end, that she should have a moiety or any other sum as a matter of absolute right, but on the principle of national grace and fair play, under all the circumstances, between a great and powerful nation and those people, it is suggested that it would be good policy on the part of the Government, to say nothing else, to make her recompense of some kind, of some amount, not necessarily to be gauged by the amount of rentals received.

I will state that the committee, on visiting the islands, was forced into this inquiry very much against its will; but, as the report shows, the petition was presented at length on the Queen's part and a demand was made on the committee that we investigate the facts and make such report as we might think proper under the circumstances. We did. We inquired into the sentiment of the people there, and we found one thing that very agreeably surprised me.

Mr. President. Before I visited those islands and heard the testimony of all sides I had been led to believe from what had been uttered in the Senate some years ago and what I had seen in the papers that this lady was not entitled to any consideration from anybody. Commencing with Governor Dole, who was born there, witness after witness was called upon the stand and sworn, all classes and parties being heard—parties who represented those who had pulled down the monarchy—and without a solitary dissenting voice they all testified to the high character of that woman.

They testified not only to her high character, but to her many good qualities as a woman, a literary woman, a

charitable woman, as a woman whose character and reputation had never been assailed by those who knew her but only by those who did not know her. And furthermore they gave it as their opinion, without a dissenting voice, that nothing could go so far to harmonize matters in that new part of our country as to do something in the way of a contribution to the Queen, not based on any legal or equitable claim, if you please.

Mr. Spooner. Why do you not put it in that way?

Mr. Mitchell. That is the way we do put it. That is the way the report puts it. It was stated that nothing would go so far to harmonize matters and quiet matters in those islands.

Mr. Blackburn. This Government had nothing to do with any loss that the Queen sustained in the matter of any property belonging to herself in fee. This Government had nothing to do, it is assumed by the committee in its report, with the conversion of the rentals from the Crown lands, even to the provisional government and the Republic of Hawaii.

But, answering first the question submitted by the Senator from Wisconsin, I would say that it is not exactly the case that he described, that so often unfortunately occurs where people are brought down from affluence to want. In this case the poverty which overtook this dethroned monarch was not the result of any fault of hers. It was as the result of a political revolution.

Now, admitting for the sake of the argument that this Government had nothing to do with bringing about that condition of affairs; admitting for the sake of the argument that this Government had no collusion with or knowledge of the intention and purposes that resulted in the dethronement of this Queen, still the fact remains that this Government did become the recipient of that very overthrow of government to the extent of the rentals of these lands from the date of the annexation of the Hawaiian Islands until now.

Senator Heyburn here participated in the debate. "The Crown lands," said the Idaho Senator, "do not appeal to me at all as the basis of any sympathy or the foundation for making the appropriation."

"Then I am afraid we can not reach the Senator's sympathy at all," responded Mr. Blackburn.

Senator Clay, of Georgia, also made some inquiries, as to whether the loss of the Crown lands and the loss of the rents thereof were not the entire basis of the claim for an appropriation.

Senator Blackburn said that was not true.

I have the petition here before me, continued Mr. Clay, I will state to the Senator.

I have the brief filed by her counsel, retorted Mr. Blackburn, in my hand. That is not true. Upon the contrary, it is expressly set up, not as a basis upon which to predicate a legal demand against the Government, but as a matter properly to be considered, that all of the property, of the estate, of the personality, of which she was possessed, independent of her right of sovereignty, passed from her possession and was taken forcible possession of by the Government that succeeded the crown government.

Now, I have but one more thing to say, and that I have already said. There is no ground here upon which to base a legal claim. There is no ground here upon which an action could be brought against a government, even if the government would waive its sovereignty and admit itself liable to be sued. There is no ground here upon which a bill could be predicated in a court of equity. That is all conceded. It is frankly admitted that the only proposition submitted to the Senate to determine is as to whether in good conscience and fair dealing this bill should not pass.

## SPOONER AND MITCHELL DEBATE.

Mr. Spooner. Mr. President, it is a little difficult, because somewhat ungracious, perhaps, for one to antagonize a proposition so persuasively presented as this is by the Senator from Kentucky. He is a sympathetic man, and I think most of us are sympathetic men. I have listened to all he has had to say, and all the Senator from Oregon (Mr. Mitchell) has had to say, and I can not, for the life of me, see from their statement upon what conceivable basis this appropriation can be justified.

We are not appropriating our own money. We are the conservators of the money belonging to the United States, raised by taxation in one form and another. We go to the limit sometimes in appropriations out of sympathy. Here is a proposition to appropriate \$200,000 out of the Treasury to Lilioukalanani, the dethroned Queen of the Hawaiians.

It certainly is not enough to warrant this appropriation that she is a woman of good character—that, as far as I am concerned, goes without saying—or that she is a woman of literary taste and ability. We have many a woman in this country of fine literary taste and ability struggling from day to day to live, even. But the Government can not appropriate money to aid them on any such ground as that, although kind-hearted people who are affluent might well enough help, and they many times do; and sometimes help is withheld where it might be easily given.

Mr. Mitchell. At the same time the Senator knows there is a court of conscience. There is a court of fair play, as between nations, between countries, between governments, that has no place and is not recognized in a court. The Senator is lawyer enough (because he is one of the best lawyers if not the very best in the United States) to know that.

Mr. Spooner. I yield as quickly to an appeal to conscience, and so does the Senator, and so do the Senate, and so does the country, as any man or body of men in this world. Where is the appeal to conscience on what the Senator states in this case? Nothing, Mr. President; absolutely nothing. Why not? Lilioukalanani was the sovereign of the Hawaiians. She was dethroned as sovereigns all through the history of the world have been dethroned—not by us. The Senator does not claim that we were the cause of her dethronement. If the Senator urged that and asked us to do penance by this appropriation for a governmental wrong, there would be something to debate. But they dispute that.

(Continued on page 8.)

FOR BABY'S SKIN  
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DR. J. COLLIS BROWNE'S CHLORODYNE.—Vice-Chancellor SIR W. PAGE WOOD stated publicly in court that DR. J. COLLIS BROWNE was undoubtedly the INVENTOR OF CHLORODYNE; that the whole story of the defendant, Freeman, was deliberately untrue, and he regretted to say it had been sworn to. See the Times, July 18, 1884.

DR. J. COLLIS BROWNE'S CHLORODYNE is a liquid medicine which assuages PAIN OF EVERY KIND, affords a calm, refreshing sleep WITHOUT HEADACHE, and INVIGORATES the nervous system when exhausted. IS THE GREAT SPECIFIC FOR CHOLERA, DYSENTERY and DIARRHOEA.

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## STONEBOATS SUNK IN RIGHT PLACE

Cablegrams received yesterday by Consul-General Saito from Minister Takahira at Washington, and by the local branch of the Yokohama Specie Bank from the main bank in Yokohama, confirm earlier Associated Press dispatches that Admiral Togo has blocked the Russian fleet in Port Arthur harbor. Both cablegrams are to the effect that the vessels loaded with stone, which were sent forward under a convoy of torpedo boats to be sunk in the channel leading to Port Arthur's harbor, were intentionally sunk by the Japanese themselves and in the right place. As five vessels are reported to have been utilized in this exploit, five Japanese Hobsons may be said to have come to the front.

The first cablegram received yesterday was that of the Yokohama Specie Bank, and reads as follows:

"Yokohama, Feb. 26.

"To Yokohama Specie Bank:

"It is reported that on the night of the 23rd inst., our torpedo boats intentionally sunk five old vessels to bottle up Port Arthur."

The cablegram to Consul-General Saito, received about 11 a. m., is as follows:

Washington, Feb. 26th, 1904.

"Saito, Honolulu:

"At daybreak of the 24th inst., four old worthless vessels were sent to the mouth of Port Arthur, escorted by a flotilla of torpedo boats, for the purpose of blocking the port by sinking them at the entrance. They have succeeded in sinking them in right place, and the officers and crews were all saved by the torpedo boats and returned in safety.

"No information from Admiral Togo about the main fleet, but we have good reason to believe that they are all safe."

TAKAHIRA."

## WE TRAINED THEM WELL PORT ARTHUR'S BOOM GONE

ANNAPOLIS, Md., Feb. 12.—Seven of the commanding officers of the Japanese navy are graduates of the Naval Academy.

They are: Zun Zou Litzmulla, appointed in 1869, graduated in 1873; Kuroki Katz, appointed in 1871, graduated in 1877; Gira Kunitomo, appointed in 1872, graduated in 1877; Yonosuke Enouye, appointed in 1877, graduated in 1881; Tashu Serata, appointed in 1877, graduated in 1881; Sotokichi Uru, appointed in 1878, graduated in 1881, and Hiroaki Tamura, appointed in 1896, graduated in 1900.

Uru is now admiral in the Japanese navy and is commander of the Japanese squadron in the Far East.

A news agency reports on good authority that, in spite of the enormous outlay, the boom placed at the entrance to Port Arthur was destroyed by the action of the waves in November last year, and has not yet been repaired. Furthermore, says the agency, the number of torpedoes to be sunk at that port in case of emergency is at present only 389 in all, while about 5,000 are required adequately to guard the entrance. Viceroy Alexieff, therefore, recently asked the home Government to supply more torpedoes at an early date and, until their arrival, the defence of the entrance to the port, our informant conjectures, will remain incomplete.—Japan Times, Jan. 30.

HAKODATE, Feb. 29.—It is reported that the Japanese have been blockading Vladivostok since last Thursday.

ST. PETERSBURG, Feb. 29.—News is expected of heavy land fighting near Yalu.